

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN A. MARTIN,

Plaintiff, No. CIV S-03-0466 FCD JFM P

vs.

CHERYL K. PLILER, et al.,

Defendants. ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On December 1, 2005, defendants filed a motion for summary judgment. On December 21, 2005, plaintiff filed a request pursuant to Fed. R. Civ. P. 56(f) to postpone consideration of defendant's motion pending completion of further discovery. On February 14, 2006, defendant filed an opposition to the request. By order filed March 17, 2006, the court granted in part plaintiff's Rule 56(f) request. Specifically, the court granted plaintiff a period of fifteen days to file and serve a list of all documents in plaintiff's central file necessary to plaintiff's opposition to defendant's motion for summary judgment and directed defendants within ten days thereafter to either provide plaintiff with a photocopy of each document on said list or show cause in writing why some or all of the requested copies should not be provided to plaintiff.

1           On March 31, 2006, plaintiff filed a response to the March 17, 2006 order. In his  
2 response, plaintiff requests documents in six categories. On April 10, 2006, defendants filed a  
3 response to plaintiff's March 31, 2006 request. Defendants interpose objections to plaintiff's  
4 request but also either specifically aver that no responsive documents exist or append responsive  
5 documents to their filing. Defendants also request a period of forty-five days in which to provide  
6 other documents to plaintiff, and they withdraw their opposition to plaintiff's Rule 56(f) request.  
7 On April 20, 2006, plaintiff filed a statement of non-opposition to defendants' request for  
8 extension of time.

9           Good cause appearing, IT IS HEREBY ORDERED that:

10           1. On or before June 5, 2006, defendants shall provide plaintiff with copies of the  
11 documents pertaining to the reassignment of the B-Facility Law Clerks;

12           2. Defendants shall not be required to provide any additional documents to  
13 plaintiff in connection with the pending motion for summary judgment;

14           3. Not later than July 5, 2006, plaintiff shall file and serve an opposition to  
15 defendants' December 1, 2005 motion for summary judgment;

16           4. Defendants' reply, if any, shall be filed and served not later than July 19, 2006;  
17 and

18           5. No extensions of the deadlines set in this order will be granted.

19 DATED: May 24, 2006.

20             
21           \_\_\_\_\_  
22           UNITED STATES MAGISTRATE JUDGE  
23

24           12  
25           mart0466.56fsec  
26